



PATENT
Docket No. 532412000100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

James COLEMAN

Serial No.: 10/056,000

Filing Date: January 28, 2002

For: WATER FEATURE

Examiner: Vit W. Miska

Group Art Unit: 2841

RESPONSE UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

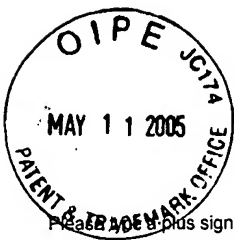
Sir:

In response to the Action dated February 11, 2005, please reconsider this application in light of the following Remarks.

REMARKS

Applicant thanks the Examiner for allowing claim 15 and indicating that claims 9-14 and 20 are directed to patentable subject matter. In view of the allowability of the remaining claims in this application, applicant respectfully declines to amend them at this time.

Claims 1-4 and 7 again stand rejected as anticipated by Hess. The Examiner states that Hess discloses "inlet 32 arranged tangentially to cylindrical body 38 of the vessel as shown in Fig. 1," and also presents his opinion that Hess discloses "timer 44-48 for controlling the rate of water inlet in comparison with the water outlet rate so as to vary the height of the volume in the vessel." This rejection and its supporting reasoning are respectfully traversed.



IFW
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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

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| Application Number | 10/056,000 |
| Filing Date | January 28, 2002 |
| First Named Inventor | James COLEMAN |
| Group Art Unit | 2841 |
| Examiner Name | Vit W. Miska |
| Attorney Docket No. | 532412000100 |

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| Total Number Of Pages In This Submission | 6 |
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ENCLOSURES (check all that apply)

| | | |
|---|---|--|
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| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) - NOTICE OF APPEAL |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request - One Month | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | |
|-------------------------------|--|
| Firm Or Individual Name | Barry E. Bretschneider, Registration No. 28,055 Morrison & Foerster LLP |
| Signature | |
| Date | May 11, 2005 |

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